

EXHIBIT 9

FST-CV-09-5011591-S : **SUPERIOR COURT**
:
RESIDENTIAL FUNDING CO., LLC. : **J.D. OF STAMFORD/NORWALK**
:
v. : **AT STAMFORD**
:
THOMAS J. LA CASSE : **DATED OCT. 15, 2014**

DEFENDANT'S MOTION TO DISQUALIFY COUNSEL

Now come the Defendant Thomas J. La Casse by his counsel and moves to disqualify counsel for Residential Funding Co. LLC.

In support of this motion the defendant asserts:

1. The new attorney's for the plaintiff have essentially asserted that they are not representing Residential Funding Co., LLC., by the content of their email in referencing that they are representing a soon to be "substituted party" (The plaintiff has stated in its email that it intends to file a motion to substitute and to have the "substituted party" respond to these discovery requests, thus, new counsel for the alleged Plaintiff may not have the authority to bind Residential Funding Co., LLC., and they may not have standing to appear on their behalf).

The defendant references *exhibit A* attached to hereto, a copy of a recent email communication the plaintiff and defendant had regarding this matter, which tends to reflect the statements made herein. The defendant adopts the position that if the attorneys' appearing on behalf of Residential Funding Co., LLC., do not actually represent Residential Funding Co., LLC., they would be required to move to intervene on behalf of another party not presently in the case.

WHEREFORE, the defendants object to the plaintiff's appearance on behalf of Residential Funding Co. LLC, the only current plaintiff in this case.

THE DEFENDANT,
THOMAS LA CASSE,
BY HIS ATTORNEY,
DONALD M. BROWN

/ss/ 421865 _____
Donald M. Brown, Esq.
Juris No. 421865

LAW OFFICES OF DONALD M. BROWN, ESQ.
32 PINE TREE LANE AVON CT 06001
(203)359-3771 - 800-636-2701 FAX

ORDER

The following objection having been heard, it is hereby ORDERED:

GRANTED / OVERRULED

A Judge of the Superior Court

CERTIFICATION

I hereby certify that a copy of the foregoing and within Motion to Disqualify was mailed first class postage prepaid to the plaintiff on Oct. 15, 2014 at the following address:

MARISSA I DELINKS
28 STATE ST 24TH FLR
BOSTON, MA 02109

VALERIE NICOLE DOBLE
28 STATE ST 24TH FLR
BOSTON, MA 02109

/ss/ 421865_____
Donald M. Brown, Esq.
Juris No. 421865

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EXHIBIT A

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Donald M. Brown

From: "Donald M. Brown" <donbrownzd@optonline.net>
Date: Friday, September 26, 2014 8:56 AM
To: <VDoble@hinshawlaw.com>
Attach: discovery - first set of interrogatories.doc; discovery - first set of production.doc; ATT00360.jpg; ATT00361.jpg
Subject: Re: Residential Funding v. Thomas La Casse - request for consent to extension for discovery responses

Here are the word documents.

Thanks,

Donald M. Brown, Esq.
203-359-3771

From: VDoble@hinshawlaw.com
Sent: Wednesday, September 24, 2014 5:10 PM
To: donbrownzd@optonline.net
Subject: Re: Residential Funding v. Thomas La Casse - request for consent to extension for discovery responses

Attorney Brown:

We would also appreciate it if you would forward the Word version of Mr. LaCasse's discovery requests as they are lengthy and do not leave much room to respond.


Thank you.

Valerie N. Doble

Hinshaw & Culbertson LLP
vdoble@hinshawlaw.com

28 State Street, 24th Floor
Boston, MA 02109-5709
Tel: 617-213-7000 | Fax: 617-213-7001

321 South Main Street, Suite 304
Providence, RI 02903
Tel: 401-751-0842 | Fax: 401-751-0072

 <http://hc01web2/signature/hinshawlogo.ico>

From: Valerie N. Doble/HC34
To: donbrownzd@optonline.net,
Cc: Marissa I. Delinks/HC34@HC
Date: 09/24/2014 04:28 PM

Subject: Residential Funding v. Thomas La Casse - request for consent to extension for discovery responses

Attorney Brown:

As you are aware, our office appeared in this matter in August. As you likely expect, we intend to file a motion to substitute the party plaintiff. We suspect that this is the reason you have not yet filed a responsive pleading. We are in the process of obtaining the necessary information and documents to do this and also to respond Mr. La Casse's discovery requests, but need additional time. Rather than simply filing objections, we would prefer to move an extension of time to submit both objections and responses at the same time.

As such, please advise if Mr. La Casse will consent to an extension of time for the plaintiff's discovery responses. We are requesting an additional 45 days to allow sufficient time for the motion to substitute and to prepare responses on behalf of the proposed substitute plaintiff. We need to file the motion by close of business tomorrow.

Please feel free to call me to discuss this request further. I will be leaving the office shortly for the day, but will be in all day tomorrow. My direct dial is 617-213-7035.


Thank you.

Valerie N. Doble

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10/2/2014

Donald M. Brown

From: <VDoble@hinshawlaw.com>
Date: Friday, September 26, 2014 9:20 AM
To: "Donald M. Brown" <donbrownzd@optonline.net>
Subject: Re: Residential Funding v. Thomas La Casse - request for consent to extension for discovery responses

Thank you.

Sent from my iPhone

On Sep 26, 2014, at 8:56 AM, "Donald M. Brown" <donbrownzd@optonline.net> wrote:

Here are the word documents.

Thanks,

Donald M. Brown, Esq.
203-359-3771

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<attn3at6.jpg><att3bow2.jpg>

<discovery - first set of interrogatories.doc>

<discovery - first set of production.doc>

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